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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

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6 DEANDRE MICHAEL HOWARD,

7 Plaintiff,

8 v.

9 UNITED STATES OF AMERICA, et al.,

10 Defendants.  
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Case No. 2:22-cv-01004-JAD-DJA

**ORDER**

12 This matter is before the Court on Plaintiff's Proposed Discovery Plan and Scheduling  
13 Order (ECF No. 19), filed on October 19, 2022. The Court has reviewed the plan and finds that it  
14 does not comply with Local Rule ("LR") 26-1. LR 26-1(a) provides that "the parties **must** submit  
15 a stipulated discovery plan and scheduling order." Plaintiff notes that Defendants' counsel  
16 refused to participate in the mandatory discovery conference proceeding arguing that proceeding  
17 with said conference would be premature while Defendants' Motion to Stay Discovery is  
18 pending. But Defendants cannot unilaterally impose a de facto stay while awaiting a ruling on  
19 their motion for one. As such, the Court will order the parties to meet and confer and submit a  
20 stipulated discovery plan and scheduling order within 14 days. To the extent the parties have a  
21 disagreement on the terms, then they are required to include "a statement of each party's position  
22 on each point in dispute" **in one stipulated discovery plan**. Therefore, the Court will deny  
23 Plaintiff's one-sided discovery plan that fails to comply with LR 26-1.

24 Based on the foregoing and good cause appearing therefore,

25 IT IS THEREFORE ORDERED that Defendants' Proposed Discovery Plan and  
26 Scheduling Order (ECF No. 19) is **denied**.  
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1 IT IS FURTHER ORDERED that the parties shall meet and confer in accordance with  
2 Local Rule 26-1 and Federal Rule of Civil Procedure 26(f) and submit a stipulated discovery plan  
3 and scheduling order no later than November 3, 2022.

4 DATED: October 20, 2022

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7 DANIEL J. ALBREGTS  
8 UNITED STATES MAGISTRATE JUDGE  
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